



MINUTES AND RECORD

of the

EXECUTIVE COUNCIL

**HELD AT CONGRESS HOUSE, LONDON WC1
ON 29TH, 30TH & 31ST MARCH 2011**

PRESENT:

MEMBERS: Bro. I ALLINSON, Sis. P BURR, Bros. R BAZELEY, S BEATTY, R BENJAMIN, D BOWYER, P BREWSTER, D BROCKETT, T CASHMAN, W COLEMAN, J COOPER, P COYNE, S DAVISON, Sis. A DAYKIN, Bro. D DELACY, Sis. E DONNELLY, J ELLIOTT, Bros. J FITZPATRICK, A FRASER, Sis. G GEORGE, Bros. M GIBBONS, S HIBBERT, B HOLMES, Sis. S HUTCHINSON, Bro. G JACKSON, Sis. S JOPSON, J LEWIS, Bros. D LOVELIDGE, M LYON, Sis. L MALONE, Bros. D MATHIESON, M MAYER, I McDONALD, Sis. J McDOWALL, Bros. J McDOWELL, S MCGHIE, Sis. J McLEOD, Bros. A MERCER, I MONCKTON, J MURPHY, M MURPHY, J NEILL, D NESTOR, P OLIVER, Sis. B PLEASANTS, Bros. M PLUMB, D RITCHIE, Sis. P ROBSON, Bro. P RUSSELL, Sis. M RYAN, Bros. N SHEEHAN, J SHERIDAN, M SHERRIFF, P SIMPSON, D SMEETON, Sis. J STEWART, Bros. M STEWART, J STOREY, Sis. P STUART, Bro. M TAJ, Sis. M TAYLOR, Bros. P TAYLOR, M THOMPSON, Sis. A TOLMIE, Bro. H TURNER, Sis. M VANNET, Bros. D WILLIAMS, F WOOD, M WOOD, T WOODHOUSE

EX OFFICIO: Bro. L McCLUSKEY (General Secretary)
Bro. T BURKE (Assistant General Secretary)
Sis. G CARTMAIL (Assistant General Secretary)
Bro. S DUBBINS (International Director)
Sis. D HOLLAND (Assistant General Secretary)
Bro. D HOOK (Director of ICT)
Bro. C MATHESON (PA to General Secretary)
Bro. A MURRAY (Chief of Staff)
Bro. E SABISKY (Director of Finance & Operations)

IN THE CHAIR: Bro. T WOODHOUSE

FIRST DAY, 29TH MARCH 2011

Minute
No.1082

1. APOLOGIES AND LEAVE OF ABSENCE

Formal permission was requested to be absent from the sessions referred to for the reasons stated:

Name	Session	Circumstances
Ian Allinson	Wednesday & Thursday	TU Business
Paula Burr	Thursday	TU Business
Ray Bazeley	Thursday	Family business
Robert Benjamin	Wednesday & Thursday	TU Business
David Brady	All sessions	TU Business
Louise Cousins	All sessions	TU Business
Roberta Doble	All sessions	Illness
Elizabeth Donnelly	Wednesday	TU Business
Dave Dutton	All sessions	TU Business
Sharon Hutchinson	Tuesday	TU Business
Andy Johnston	All sessions	TU Business
Jim Kendall	All sessions	Holiday
Jane Lewis	Tuesday & Thursday	TU Business
Mark Lyon	Thursday	TU Business
Dave Nestor	Thursday	TU Business
Chris Perrett	All sessions	Illness
Peter Russell	Wednesday & Thursday	TU Business
Sue Sharp	All sessions	Illness
Mick Sherriff	Thursday	TU Business
Bill Spiers	All sessions	TU Business
Mickey Stewart	Thursday	Holiday
John Storey	Tuesday a.m.	TU Business
Mohammed Taj	Thursday	TU Business
Jayne Taylor	All sessions	Illness
Agnes Tolmie	Thursday	TU Business
Marie Vannet	Tuesday	TU Business

Having full appreciation of the circumstances, as reported, the Council

RESOLVED: "That necessary leave of absence be facilitated."

2. ANNOUNCEMENTS

Minute
No.1083

2.1 Obituaries

The Chair announced with a feeling of deep sorrow and regret that the undermentioned had died on the date stated:

Name	Designation	Date
Bro. A Stuart	Retired Officer T&G Section	18.2.11
Bro. J Freeman	Retired Regional Secretary T&G Section	16.3.11

The Council were grieved to hear the sad news and, tributes having been voiced, the Council stood silent in their places for a period as a token of their respect and esteem.

It was thereupon

RESOLVED: "That a vote of condolence be recorded in the Minutes."

3. EXECUTIVE COUNCIL MINUTES

**Minute
No.1084**

3.1 Receipt of Minutes

The Minutes of the Meeting of the Executive Council held on 24th, 25th & 26th January 2011 were duly submitted.

The following decisions were recorded by the Council arising from their consideration.

3.1.1 Matters Arising out of the Minutes

**Minute
No.1085**

3.1.1.1 Min.1012 Legal Report

A member of the Council asked for an update on the blacklisting situation with specific reference to the letter that was to be sent to a particular Officer. In response, AGS Gail Cartmail reported that contact had been made and a meeting was now being arranged.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.1086**

3.1.1.2 Min.1033 Legal Report

A member of the Council referred to the legal service to members and the request that the system used by the former T&G Section be applied to the whole Union. In response, General Secretary, Len McCluskey reported that, unfortunately, the appointment of the Legal and Affiliated Services Director had not yet been made but it is anticipated to be completed by the end of April. It is the intention and wish of the Executive Council that a simplified system of obtaining legal advice will prevail in Unite and this will be completed in an orderly fashion.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

RESOLVED: "That the Minutes of the Meeting of the Executive Council held on 24th, 25th & 26th January 2011 be adopted."

4. FINANCE & GENERAL PURPOSES COMMITTEE

**Minute
No.1087**

4.1 Receipt of Minutes

The Minutes of the Finance & General Purposes Committee held on 17th February 2011 were duly submitted.

The following decisions were recorded by the Council arising from their consideration.

RESOLVED: "That the Minutes of the Finance & General Purposes Committee Meeting held on 17th February 2011 be noted."

5. REPORT OF THE GENERAL SECRETARY

Minute
No.1088

5.1 Report

General Secretary, Len McCluskey reported that there would be a different format for reporting to the Council and the General Secretary's Report would not be filled with industrial issues and all other departments. Whilst he would make comments on industrial issues of the day, the Assistant General Secretaries will be scheduled to give the Council reports on industrial matters.

The General Secretary reported that a presentation would be made by Tony Woodley on the 100% Campaign and Strategy for Growth and the changes that are taking place. Whilst a certain number of RCOs were appointed, there is a need for additional RCOs to drive home the 100% strategy and due to the need for this process to start very quickly, the Council's endorsement was sought for the decision to appoint temporary RCOs in various regions. The current Organising Department have been taken out of their work to concentrate specifically on the 100% strategy. Some of the more strategic campaigns and future campaigns are being looked at and resources are going to be specifically put into Local Authorities and the Health Service.

With reference to the political situation, the General Secretary advised that it will be necessary to bring a report back to the Council for approval on the type of strategy the Union is trying to pursue and the role of political committees. An over-arching political strategy in relation to the Labour Party will be brought to the Council for their involvement.

The General Secretary reported that a review of all departments is currently being undertaken, including the International Department. The new Executive Council, when elected, will need to make the decision as to whether it wants an International Sub-Committee. International affiliation fees and the role of European Works Councils are two of the strategic issues that are being reviewed.

Colleagues from the USW had been in the UK and Leo Gerard had addressed the crowd in Hyde Park on Saturday 26th March. Discussions had also taken place in relation to Workers Uniting and a conference is scheduled for this year which will be a debate for the new Executive Council.

The General Secretary reported that Leonard Weinglass, the leading civil rights lawyer in America, had unfortunately died last week. He was the leading expert in defending the Miami 5 and condolences have been sent to the family.

The General Secretary highlighted the rally that had taken place on Saturday 26th March which had been organised by the TUC and was an incredible success. It will be an interesting debate at the TUC General Council and Executive as to next steps. The General Council are involved in a meeting of public service unions to discuss co-ordinated strike action by all public sector unions.

With reference to integration, and the announcement of the closure of Hayes Court and King Street, there is a fair amount of building work being carried out to accommodate everyone in Unite House in Holborn. There is full co-operation from all Officers and Staff and a clear focus moving forward.

The Rules Conference is scheduled to take place from 13th – 16th June 2011 but it is now being proposed that, due to the amount of business, the

conference should be concluded by 15th June which would also help to contain costs.

The job evaluation project and pay deal has been concluded on behalf of Officers and staff. The job evaluation scheme has been on-going for 3 years and all bargaining groups have now accepted it and also accepted the 3.5% pay deal. As a result of the job evaluation, a significant number of staff and Officers are over their grade rate and will not receive the 3.5% increase and it is anticipated that the cost to the Union will be less than 3% and the authorisation of the Executive Council is sought.

The General Secretary reported that it is his intention to harmonise terms and conditions of employment for all Officers and staff which should be concluded by the end of Spring, beginning of Summer. As appointments of new Officers and staff will shortly take place, it is necessary to have Unite terms and conditions contracts to offer them. There will be a report back to the Council as soon as this has been achieved.

One of the biggest spending departments is the Education Department and a root and branch review is to be undertaken. It is the intention to make certain the Union is getting value for money and there will be considerable savings made within the Education Department but hope those savings will be made without affecting the real business of education of reps and shop stewards.

Equally, the Research Department will be critically looked at. All unions are currently engaged in duplication of work and it needs to be examined in a critical way to ensure value for money and more focus and better focus in the industrial arena.

With reference to Campaigns and Communications, with the appointment of the new Director, Pauline Doyle, the resources of the department are being look at together with the type of campaigning work the Union want to get involved in.

The General Secretary referred to other activities he had been involved in including meetings with Government Ministers.

The Council were advised that following the stepping down from the TUC General Council by Derek Simpson, Tony Woodley and Dougie Rooney, it was recommended that they be replaced by Steve Turner, Andrew Murray and Jane Stewart. The Council endorsed the recommendation.

Members of the Council commented on the march that had taken place on Saturday and were in agreement that a strategy is needed for going forward. The General Secretary reported that raising the consciousness of not only members of the Union but members of the public is absolutely key. He also referred to UK Uncut who are a non-violent protest group and discussions that had taken place with them.

**Minute
No.1089**

5.2 Strategy for Growth – 100% Strategy

Executive Officer, Tony Woodley introduced the powerpoint presentation on a union-wide strategy to stop decline and grow Unite.

Paying membership has declined in recent years by over 260,000 with a loss of revenue of £26 million, 15% of annual income. In 2010, the Union recruited 119,000 members with a net membership loss of 76,000 paying members. All regions are affected and will take some turning around.

This union-wide strategy is based on 3 core elements:

- Co-ordinated campaigning using national agreements
- Co-ordinated campaigning linked into our national organising sector targets
- Campaigning by prioritised ‘infill’ targeting – measured by membership density and workplace rep organisation.

Tony Woodley supplemented the elements and together with Rob MacGregor and Sharon Graham, added detail to the presentation.

General Secretary, Len McCluskey reported that with common terms and conditions for Officers and staff, there will be an introduction of codes of practice and core standards that will be required. If required, training will be given.

Questions and comments from Council members were responded to.

At the close of consideration, the Council

RESOLVED: “That the report be endorsed.”

**Minute
No.1090**

5.1 Report continued/.....

A discussion took place regarding the proposal to conclude the Rules Conference in 3 days with the General Secretary and Chief of Staff responding to members of the Council.

The members of the Council were asked to vote on the proposal to conclude the Rules Conference in 3 days:

For	Against	Abstain
Paula Burr	Ian Allinson	
Ray Bazeley	Tom Cashman	
Sean Beatty	John Fitzpatrick	
Robert Benjamin	Gill George	
David Bowyer	Brian Holmes	
Paul Brewster	John Murphy	
Davey Brockett	Brenda Pleasants	
Willie Coleman	Mark Plumb	
John Cooper	Maggie Ryan	
Pat Coyne	John Sheridan	
Steve Davison	Lizanne Malone	
Allyson Daykin		
Dave DeLacy		
Elizabeth Donnelly		
Jennifer Elliott		
Alastair Fraser		
Mike Gibbons		
Steve Hibbert		
Glenn Jackson		
Sue Jopson		
Dave Lovelidge		
Mark Lyon		
Dave Mathieson		
Martin Mayer		
Ian McDonald		
Jackie McDowall		
Trevor McDowell		
Stuart McGhie		
Jackie McLeod		

Alan Mercer
 Ivan Monckton
 Mick Murphy
 Jimmy Neill
 Dave Nestor
 Pat Oliver
 Dave Ritchie
 Paulene Robson
 Neil Sheehan
 Mick Sherriff
 Peter Simpson
 David Smeeton
 Jane Stewart
 Mickey Stewart
 Pat Stuart
 Mohammed Taj
 Monica Taylor
 Peter Taylor
 Mark Thompson
 Agnes Tolmie
 Howard Turner
 Dave Williams
 Frank Wood
 Mark Wood
 Tony Woodhouse

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A discussion ensued on matters arising from the report of the General Secretary which included: job evaluation, harmonisation, Regional Women's Organisers, appointment of Legal Director, re-allocation of National Officers, magazine publication and benefits booklet.

At the close of consideration, the Council

RESOLVED: "That the report of the General Secretary be agreed."

**Minute
 No.1091**

5.3 Manufacturing Report

A detailed written report had been circulated to the Council and was verbally supplemented by Assistant General Secretary, Tony Burke.

The Assistant General Secretary referred to redundancies in BAe Systems and Royal Mail and the dispute in Hewlett Packard and potential dispute with Fujitsu in Manchester. He also outlined in detail a serious situation at Honda in Swindon where the Union is facing derecognition.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
 No.1092**

5.4 Services Report

A detailed written report had been circulated to the Council and was verbally supplemented by Assistant General Secretary, Gail Cartmail.

The Assistant General Secretary referred to the austerity measures that are having the predicted effect on our members and some of the actions that are being undertaken. She also highlighted the effects being felt in the construction industry, energy sector and finance & legal sector.

A further discussion took place regarding the rally that had taken place on Saturday 26th March and strategies going forward.

The Chair suspended business for the day and Richard Allday was invited to address the Council on his participation in the aid convoy to Gaza.

SECOND DAY, 30TH MARCH 2011

IN THE CHAIR: Bro. T WOODHOUSE

**Minute
No.1092**

5.4 Services Report cont'd/.....

Members of the Council reported on the current situation within their own sectors including Health, Construction and Finance & Legal.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.1093**

5.5 Transport & Food Report

A detailed written report had been circulated to the Council and was verbally supplemented by Assistant General Secretary, Diana Holland.

Updates on the current situation within the sectors were given and the General Secretary reported on the latest ballot at British Airways.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.1094**

5.6 Equalities

A written report for the Equalities Sector had previously been circulated to the Council and was verbally supplemented by Assistant General Secretary, Diana Holland.

The Equality Act came into force last year, but some parts were delayed to be introduced during this year. However, the provision to protect people from dual discrimination will not be introduced. The Government have announced it will implement the general duty in April with draft regulations on the specific duties to be introduced in October. The revised proposals cut back the specific duties even further than earlier cuts.

With reference to family friendly rights, the Government has now announced it is not going to introduce the right to request flexible working for parents of older children and is examining proposals to remove workplaces with fewer than 10 workers from employment rights, including maternity and family rights.

Equalities monitoring continues to be advanced, with wording developed to accompany the new membership card due to be issued to all members, as well as encouraging all parts of the union to be involved.

A Unite lobby of Parliament for International Women's Day 2011 took place around the cuts as part of the build up to the march on the 26th March. As well as previously reported cuts, the impact of raising women's State Pension Age more quickly, particularly on women in their mid-50s, are now being exposed.

Organising and campaigning with migrant domestic workers continues to build membership and extend the Union, including a special 2-year anniversary event of Justice for Domestic Workers J4DW.

Unite played an important role in the TUC Women's Conference and our motion on Women and the Cuts was unanimously supported and voted as the motion to go to this year's TUC Congress.

BAEM members continue to report on the impact of the cuts on black workers, with many workers, particularly in the public sector, being hit by redundancies.

There has been a positive development between the BAEM Committee and the Political Department arising around the BNP threat.

There was a good presence of disabled members at the TUC march on 26th March and Sean McGovern, who is now on the General Council of the TUC, spoke on behalf of disabled members.

Campaigning on Disability Equality at the Workplace and the Mental Health & Stress campaign will be developed over the next period.

The National Disabled Members' Committee continue their support for the Unite campaign around Remploy and have distributed literature to all Unite branches encouraging them to buy products from the York Disabled Workers Co-operative that was set up by Remploy workers when their factory closed down.

The Unite LGBT members played a full part in the march and rally on the 26th March. The LGBT members have raised concerns regarding the proposed closures of many services aimed at the LGBT community.

With regard to LGBT equality, a landmark case which has shown a civil partnership should be seen as equal to a marriage and discrimination should not take place had had a great deal of coverage in the media.

Unite, along with many others in the UK and around the world, strongly condemns the atrocities taking place against LGBT people, particularly in Uganda.

With reference to young members, the youth unemployment crisis goes from bad to worse with figures released in January almost at the million mark. The National Apprenticeship Week took place in February and Unite strongly supports good, properly resourced apprenticeship schemes, particularly in manufacturing.

Young members are being encouraged to join the Labour Party and are being given the opportunity to join for a penny.

The National Committee of the Retired Members Association really want to be properly recognised within the Union and welcomed important discussions with the General Secretary where reassurances and a commitment was given.

Members of the Council referred to the Chainmakers Festival to which the Assistant General Secretary responded.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.1095**

**5.7 Amendments to EC Guidance on Implementation of Rule 9:
Young Members**

A document contained the proposed amendments to the EC Guidance had previously been circulated to the Council and was verbally supplemented by the National Officer, Collette Cork-Hurst.

At the close of consideration, the Council

RESOLVED: "That the amendments to the EC Guidance on Implementation of Rule 9: Young Members be agreed."

**Minute
No.1096**

5.8 Returning Officer's Report

A written report had previously been circulated to the Council and was verbally supplemented by the Chief of Staff, Andrew Murray.

Further to the discussion at the last Council meeting regarding two candidates who were ineligible to stand under provisions of Rule 6, one of the candidates was subsequently elected as workplace representative and duly endorsed by the Regional Secretary and, therefore, his nomination was allowed to stand.

Two candidates who were ineligible to stand because of their self-employed status have now complained to the Certification Officer which is being dealt with by the Union.

A complaint had been received from a candidate in the National BAEM constituency which related to ethnic monitoring. The candidate had also referred his complaint to the Election Commissioner who, after fully investigating it, dismissed the complaint.

Complaints have been received in relation to members receiving the wrong ballot paper or wrong election address. Where it has been brought to the Union's attention, the correct ballot paper has been immediately sent out.

The issue of candidates being returned unopposed and designated seats for women will need to be clarified for future election ballots.

Two serious complaints of a breach in EC guidelines have been received and the authority of the Council was sought to refer these to the Election Commissioner for a ruling.

At the close of consideration, the Council

RESOLVED: "That the report be agreed in line with the preamble to this Minute."

Minute
No.1097

5.9 International Report

A detailed report had been previously circulated to the Council and was verbally supplemented by the International Director, Simon Dubbins.

A very turbulent time internationally with the situation in Japan following the earthquake, the revolts in the Arab world and Europe generally.

The moves by the European Union to stabilise the Eurozone continues to provoke demonstrations and unrest across Europe. Proposals for strengthening the economic governance at European level includes proposals for the abolition of the wage indexation systems in Belgium and Luxembourg, with a strong emphasis on wage restraint to restore economic growth. The ETUC has reacted angrily to the proposals and a week of action in different countries has been organised, culminating in a demonstration at the meeting of European Finance Ministers in Budapest on 9th April.

Although proposals are there to stabilise the Euro, they will apply to all the European Union which includes the UK and will have a big impact on public sector spending.

Parallel moves are taking place in Wisconsin in America where they have abolished collective bargaining in certain areas of the public sector. The attacks have provoked the biggest and most sustained reaction from organised labour but the concerning thing is that exact replicas of the plan in Wisconsin are being pushed through in 15 other States.

The wave of democratic revolts sweeping the Arab countries has opened the door to possibilities of real trade union development in those countries. Although the changes are very recent and the picture remains unclear, in Egypt there are strong signs that real trade unions are beginning to emerge. Global Union Federations such as the ITF and UNI are already active in the country and ITUC is establishing an office in Cairo.

The IMF/EMF-ICEM/EMCEF-ITGLWF/ETUF-TCL merger continues on track and a special Executive Committee meeting has been called in May which will give the authorisation to form the organisation in 2012.

UNI-Europa Graphical has made a significant breakthrough in its attempts to establish a European Social Dialogue with the employers' organisation Integraf. At a joint meeting of the two organisations' Steering Committees, a resolution was agreed that should allow the establishment of a formal dialogue and a European skills council for the sector.

A Unite delegation played an active role in the UNI-Finance and UNI-Europa Finance Congresses that focused on implementing the 'Break Through' agenda into the action plans for the UNI-Finance Sector.

The appointment of the new UNI-Europa Regional Secretary, Oliver Rothig, has now taken place.

With reference to Workers Uniting, Unite had hosted a senior delegation of the USW leadership including Leo Gerard, President, who addressed the rally in Hyde Park on 26th March. A series of detailed discussions has taken place with the General Secretary which established a framework for Workers Uniting continuing and supporting industrial initiatives.

A review of EWCs will be undertaken and the International Department, together with the Education Department, will make sure EWC activities are properly linked with combines etc at national level.

The campaign for justice for the Miami 5 continues and Tony Woodley will be in Cuba on May Day. Former SEIU leader Andy Stern will also be visiting Cuba during the May Day period together with other delegates from the SEIU and USW to meet with senior politicians and the families of the Miami 5.

It has been confirmed that 52 trade unionists were murdered in Colombia in 2010. So far, no arrests have been made in relation to the murder of Carmen Mayusa's brother. International Women's Day on 8th March marked 31 months of imprisonment for union activist Liliyany Obando.

As part of the UNI-ITF-ICEM-PSI week of action to highlight the continuing abuse of basic labour rights in Mexico, Unite organised a demonstration at the Mexican Embassy and a letter of protest from the General Secretary, Len McCluskey was handed in.

The General Secretary, Len McCluskey had made and posted a Youtube message of commiseration and solidarity with Japanese workers following the earthquake, tsunami and nuclear disaster. Promoted by the members and officers in the Energy Sector, the Union has also sent specific messages of solidarity to the fellow workers in the nuclear sector who are risking their lives to make the reactors safe.

A review of international affiliations and the structure of the department is currently being undertaken and a report will be brought back to the next meeting of the Council for their consideration.

A member of the Council referred to the current situation in Libya and requested that a statement be issued on behalf of the Union. In response, the General Secretary advised that consideration would be given to this.

A member of the Council referred to the closure of the Brussels office and outlined his reasons for being unhappy with the decision. In response, the International Director advised that the office has been reorganised and there will be a joint office with the GMB and Unison. The General Secretary outlined the reasoning behind the decision and the financial savings that would be achieved.

The General Secretary supplemented the report in relation to Workers Uniting, EWCs, Cuba and the Miami 5.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.1098**

5.10 Political Report

A separate written report on political activities had been circulated to the Council and was verbally supplemented by the Political Director, Adrian Weir.

The Political Department has now been relocated to Unite House in Holborn and have been busy with the Health & Social Care Bill and Public Bodies Bill and assisting MPs to win some minor changes as it passes through Parliament.

There has been a change in the relationship between the Union and the Labour Party which seems to have restored some equality to the relationship. The Union will now be concentrating on winning back The Party for working people and trade union members.

The Political Director outlined the need to get individual members back into the Party and to reinvigorate branches to affiliate to CLPs across the country.

A range of reviews have been announced by the Labour Party with the structural review undertaken by Peter Hain being presented to the NEC this week. Running alongside that is a policy review which is multi-faceted and members of the Party are invited to either contribute on the questions set out in the "New Fortunes, Fresh Ideas" document launched at the Policy Conference before Christmas or make their own submission. It is suggested that the Union may wish to make a submission on alternative economic strategy, employment rights and other issues we may wish to raise in areas of policy. Each Shadow Minister has been asked to launch a review of policy in their sphere of influence and people are being invited onto a working party.

The three strands of policy review are meant to feed into the national policy forum process that is due to meet in June but it is unlikely that these groups will have concluded their work by June which may mean an interim paper being presented to the Party Conference in the Autumn,

The Political Director referred to the recent Budget, outlining some of the measures contained within the budget.

Local elections will be coming up in May and the Unite4Labour website will be launched and used for English districts, Scotland, Wales and the Leicester South by-election. There is a need to be vigilant in the elections that the popularity of the BNP does not rise.

In the weeks leading up to the Party Conference season last year, there were calls for a crack down on unions and calls for mandatory recognition ballots together with other items. Against that background, the Government has chosen not to move on these collective trade union rights but to target individual workers' rights.

General Secretary, Len McCluskey supplemented the report regarding the Labour Party and the specific objective of winning back the Labour Party which needs to be done in a structured way. A report will be brought to the Council for discussion.

Members of the Council expressed their views and comments to which the General Secretary responded and also gave the commitment that the Union's position is one of no cuts to counter the deluge of propaganda being put about by our opposition.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.1099**

5.11 Constituency Development Plans

A document outlining the views and recommendations of the National Political Committee in relation to CDPs had been circulated to the Council.

At the close of consideration, the Council

RESOLVED: "That the report be agreed."

**Minute
No.1100**

5.12 Unite Parliamentary Panel

A report outlining the proposals to implement the agreed framework for the Unite Parliament Panel had been circulated to the Council.

At the close of consideration, the Council

RESOLVED: “That the report be agreed.”

**Minute
No.1101**

5.13 Supplementary Report – Westminster Early Selections 2011

The Political Director, Adrian Weir reported that the Labour Party NEC have introduced a pilot selection process in 26 constituencies in the south of England. These are constituencies that will not be affected by boundary changes and can move to early selection. However, the pilot process is changing the procedure which will invite self-nomination rather than nomination by branches and affiliates as entry to the selection process. The Party envisage that this process will be completed within 9 weeks but it will not be possible to have the Unite Parliamentary Panel established before this procedure starts.

The General Secretary reported that it may be necessary to inject into the process that it has to be authorised by the General Secretary on behalf of the Executive Council.

At the close of consideration, the Council

RESOLVED: “That the report be accepted in line with the preamble to this Minute.”

**Minute
No.1102**

5.14 Education Report

A report had been circulated to the Council and was verbally supplemented by the Director of Education, Jim Mowatt.

The national tutor matrix is the culmination of a long and thorough inter-active process which has been well documented to the Council. A complete audit and update of qualified tutors and those in training has been undertaken and reported to the Education Sub-Committee.

The Director of Education reported on Lifelong Learning, which has also been well documented, and Unite will have 60 full-time union learning organisers for the next 12 months. The Executive Council will need to agree an exit strategy for the union learning fund and also negotiate a strategy with ULF for when the government funding ceases. The proposal to achieve the ambition of a lifelong learning programme which is self-sustained will be drawn up by the Education Sub-Committee and brought to the Executive Council for discussion.

Together with the USW under Workers Uniting, the Union last year hosted a course “Building Power Internationally” with 10 reps from USW and 10 reps from Unite. The second part of that programme is proposed for Pitsburg this year and a decision on whether to proceed with this will need to be taken.

The Director of Education responded to questions from members of the Council.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

7. LEGAL**Minute
No.1103****7.1 Legal Report**

A detailed report was submitted to the Council including updates on recent developments in various areas of law. The report was verbally supplemented by Shubha Banerjee.

An appeal is being pursued to the Supreme Court in relation to a working time issue that has arisen in the context of the offshore oil industry. The appeal will be pursued jointly with the RMT. The report was amplified by Assistant General Secretary, Tony Burke and commented on by the General Secretary.

There have been two favourable industrial action injunction decisions in the Court of Appeal. The High Court ordered injunctions to stop industrial action by both the RMT and ASLEF before Christmas and both of these injunctions have been overturned by the Court of Appeal. The Court of Appeal's decisions set out some useful principles that should slow down at least some of the more inventive arguments that employers have been attempting to run, and in some cases have been able to run successfully, in recent years.

A High Court claim was brought by BA against Unite in relation to the industrial action from Spring/Summer 2010 on the basis of the alleged failure by Unite to comply with the notification requirements set out in the 1992 Act. The High Court granted the injunction but this was overturned by the Court of Appeal. BA went back to the High Court and applied for a whole case hearing and wanted damages for breach of legislation. This was due to be heard in the High Court two weeks ago, however, BA offered to withdraw if both sides bore the costs and also offered a deal on another case with costs which was acceptable to the Union.

Claims for age and race discrimination have been pursued by some of the Hong Kong based BA cabin crew who are required to retire at the age of 45. UK Courts could not consider these cases because the members are based in Hong Kong but the Court of Appeal has now decided that UK Courts can consider these cases and they have now gone to the employment tribunal for consideration.

The BA travel concession claims are progressing slowly and questionnaires are now on the various BA websites for other members to sign up to be part of this litigation. The claims will probably be heard in the High Court towards the end of this year.

The travel concession claims were lodged with the European Court of Human Rights late last year and discussions are due to take place with Liberty and the TUC/ETUC to see whether they can effectively support Unite in these proceedings, by a process known as "intervening" in these cases.

The Union is running a number of sick pay claims for individuals who were off sick during last year's BA strike days but did not get paid. These are proceeding in the employment tribunal and will probably be heard towards the end of this year.

Some test cases are being run in the employment tribunal challenging BA's actions of refusing to pay those individuals who were on rest days immediately after strike days, or those who were not at the correct location for a long-haul flight following the strike days because they had been taking industrial action. These are due to be heard in May 2011.

A further newsletter updating members about what stages the various pieces of litigation had reached is currently being prepared.

With reference to blacklisting, an employment tribunal has awarded one of Unite's construction members nearly £25,000 in relation to the refusal by Balfour Beatty to employ him because of his trade union activities.

Difficulties have arisen in relation to the equal pay claims submitted against Coventry City Council. Settlement offers were made at the beginning of this year and it became apparent at this time that a number of our members had received offers that were much lower than those received by other members, both from Unite and other unions. This appears to have occurred because some of our claims were lodged significantly later than 2005, and were therefore worth much less than others that were lodged in or around 2005. This is being urgently looked into with the solicitors concerned and further information will be reported to the Council in due course.

The possible implementation date for the proposals contained in the Jackson Review is April next year. There are two adverse aspects for the Union: an insurance premium payable by the defence in PI claims, on average £900 per case, will be policy; lawyers who run successful PI cases receive a portion of their costs, "senders fee", which the Union lawyers use to provide other services for free. The impact of the Jackson proposals were further elaborated on.

A member of the Council voiced his disappointment that a single legal process had not yet been introduced. In response, the General Secretary reported that discussions are currently taking place and a single, simple and straight forward system will be introduced. There will be a new approach by the Legal & Affiliated Services department and Director and a comprehensive report back will be given to the Council in due course.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

5. REPORT OF THE GENERAL SECRETARY continued/....

**Minute
No.1104**

5.15 Government Review of Employment Tribunals

A document had been circulated to the Council outlining the Government proposals in regard to Employment Tribunals which are out for consultation.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.1105**

5.16 Branch Mergers and Changes

The Council were advised of the following Branch mergers and changes:

Scotland

Prudential Scotland 9405M to be renamed as Craigforth Finance.
Scottish Widows members (employer code 51700050) create new Scottish Widows branch, members currently in Edinburgh ISS 049M.
Creation of St Vincent Finance Branch with Capita, Abbey & Royal London members at St Vincent Street, Glasgow removed from Glasgow ISS 0495M.

South West

New workplace branch for Cooper Tires, Melksham.
 New workplace branch for First Great Western Trains in Devon and Cornwall.
 New workplace branch for Knorr Bremse Rail Systems, Melksham.
 New workplace branch for Westinghouse Rail Systems, Chippenham.
 New workplace branch for BMW.

South East

Closure of Isle of Wight 04889 and transfer members into 3211M Branch.

North East/Yorkshire & Humberside

Creation of new branch for the Department of Blood Sciences membership at the Leeds Teaching NHS Hospitals Branch.

East Midlands

Closure of 481 Branch and transfer members into 458 Branch and rename it Celanese 458 Branch.

Wales

Transfer the residual members of the Shotton 0827 Branch into the Deeside 0294 Branch.
 New workplace branch for Lloyds Banking Group.
 New workplace branch for G E Aviation, Nantgarw.

North West

Merger Greater Stockport 0516 and Stockport 0877 Branches.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

7. LEGAL continued/....**7.2 Disputes, Industrial Action Ballots and Repudiations Report**

The Council were advised that under Rule 3.3, the Executive Council's power shall enable inter alia the authorisation of industrial action, approval of dispute benefit and repudiations for the whole Union. In accordance with this, written reports detailing all relevant information were circulated to members of the Council, copies having been filed on the records of the EC.

At the close of consideration, the Council

RESOLVED: "That the Disputes, Industrial Action Ballots and Repudiations Report be adopted."

**Minute
No.1106**

THIRD DAY, 31ST MARCH 2011

IN THE CHAIR: Bro. T WOODHOUSE

6. FINANCE

**Minute
No.1107**

6.1 Unite Financial Status

A presentation that had been given to all the Union employee bargaining groups had been circulated to members of the Council and was verbally supplemented by the Director of Finance & Operations, Ed Sabisky.

The Council were advised that this is a preliminary audit and the Council will receive audited information in June and it is anticipated the audited accounts maybe somewhat worse. The value of some of the properties that the Union is planning to sell has been looked at as we are being told they are not worth what they were and they will have to be marked down to what the experts say is achievable.

General Secretary, Len McCluskey reported that the finance strategy is being developed and will be presented to the new Executive Council in May.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.1108**

6.2 Proposed Implementation of Cash Advances for Lay Members

A document had been circulated to the members of the Council and was verbally supplemented by the Director of Finance & Operations, Ed Sabisky.

A review has been conducted and it is recommended that a new cash advance system be implemented for lay members travelling to constitutional national and all international meetings. Coincident with this change, it is recommended that the use of travel warrants be eliminated.

A discussion ensued and members of the Council voiced their concerns. In response, the Council were advised that the document would stay on the table until further discussions had taken place and the proposals brought back to the Council.

At the close of consideration, the Council

RESOLVED: "That the report be accepted in line with the preamble to this Minute."

**Minute
No.1109**

6.3 Proposed Change to Lay Member Expense Policy

A document had been circulated to the members of the Council and was verbally supplemented by the Director of Finance & Operations, Ed Sabisky.

Following the decision of the Executive Council in January 2011 that members attending national RMA meetings should have the full expense policy applied, it was now proposed that members travelling to Regional RMA

and Regional Political meetings should now be able to claim the non-overnight daily allowance. These proposed changes would be effective for meetings held on or after 1st May 2011.

Following discussion, it was agreed to postpone the debate until the discussion on resolutions took place later in the meeting.

RESOLVED: "That the report be accepted in line with the preamble to this Minute."

5. REPORT OF THE GENERAL SECRETARY continued/....

**Minute
No.1110**

5.17 Unite Job Evaluation Based Salary Structure

A document had been circulated to the members of the Council and was verbally supplemented by the General Secretary, Len McCluskey.

The General Secretary reported on the difficult negotiations that had taken place with Officers and staff and highlighted the financial impact that the job evaluation and 3.5% pay award would have on the Union.

At the close of consideration, the Council

RESOLVED: "That the report be endorsed."

6. FINANCE continued/....

**Minute
No.1111**

6.4 DriverCare

A document had been circulated to the members of the Council detailing recommendations in relation to the DriverCare scheme.

At the close of consideration, the Council

RESOLVED: "That the report be adopted."

5. REPORT OF THE GENERAL SECRETARY continued/....

**Minute
No.1112**

5.18 Branch Re-organisation

A document had been circulated to the members of the Council outlining principles, guidelines and relevant rule amendments required in relation to branch reorganisation and was verbally supplemented by Chief of Staff, Andrew Murray.

The document does not deal with branch funding which will be dealt with during the course of the year together with expectations of how branches should function. The principles and guidelines have been discussed with Regional Secretaries and take into account the points raised by them. Any principles and guidelines have to have a certain amount of flexibility. It is intended to try and complete this process by the end of the year.

A discussion ensued with questions from members of the Council being responded to. The General Secretary advised that a meeting would be arranged with the Regional Secretaries who would be given a clear brief on the proposals.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.1113**

5.19 Proposed Amendments to Rule

A document had been circulated to the members of the Council outlining the proposed amendments to rule.

A member of the Council proposed that the amendments should be tabled for when the new Executive Council meets in order that they can discuss its position in terms of these amendments as well as on others.

The Council agreed to formally table all amendments in the EC name without implying that the Executive Council would carry it forward to the Rules Conference. They can then be put in with all the other amendments to be discussed at the May meeting of the Executive Council.

At the close of consideration, the Council

RESOLVED: "That the report be accepted in line with the preamble to this Minute."

**Minute
No.1114**

5.20 Draft Members' Complaints Procedure

A document had been circulated to the members of the Council and was verbally supplemented by the General Secretary, Len McCluskey.

The Council had previously raised the question of a membership complaints procedure and the General Secretary advised that he is personally committed to try and make certain that if complaints are raised, they are dealt with speedily and professionally. A system has been devised to implement this and amendments will be made if necessary.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.1115**

5.21 RISCs Audit

A factual document had been circulated to the members of the Council which highlighted problems but most RISCs are functioning properly, if not fully attended.

It is proposed to conduct an audit of Area Activist Committees and points can be raised with Regional or National Secretaries, as appropriate.

Questions raised by members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

RESOLVED: "That the report of the General Secretary (as recorded in Appendix 1 of these Minutes) be adopted."

6. FINANCE continued/....

**Minute
No.1116**

6.5 Membership

Members of the Council raised questions in relation to membership data for local government and deductions of branch funds from some of the former Amicus branches. The Director of ICT, Dominic Hook responded and

advised that the problem that had occurred in relation to payments to branches had now been rectified.

The General Secretary reported that, in future, no branch is to have a reduction in branch funds until it is cleared by the General Secretary. With regard to local authorities, work has been undertaken to improve the data and a meeting is scheduled to take place with Regional Secretaries in this regard.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

Minute
No.1117

8. CORRESPONDENCE INCLUDING RESOLUTIONS FROM REGIONAL & NATIONAL COMMITTEES

A document was circulated detailing all the resolutions received. Each item was individually considered by the Council and the responses verbally amplified.

Lawful Industrial Action (Minor Errors) Private Members Bill – The resolution was submitted by the London & Eastern Regional Committee and called on the Union to write to MPs, discussions with Labour Party, Unite Parliamentary Group and TUC. In response, the resolution was supported by the Council.

Employment Legislation Regulations – The resolution was submitted by the East Midlands Regional Committee and called on the Union to raise the issue with MPs. In response, the resolution was supported by the Council.

Illegal Logging – The resolution was submitted by the East Midlands Regional Committee and called on the Union to support campaigns that seek to reduce and remove this trade. In response, the resolution was supported by the Council.

"We Won't Pay for Their Crisis" – The resolution was submitted by the East Midlands Regional Committee and called on the Union to work with other unions and campaigning organisations to stop the cuts. In response, the resolution was supported by the Council.

Life Long Learning – Working & Organising in the Workplace – The resolution was submitted by the South West Regional Committee and called on the Union to retain the Life Long Learning Department in house if external funds are withdrawn. In response, the resolution was opposed by the Council.

Defend Secure Tenancies – The resolution was submitted by the South West Regional Committee and called on the Union to campaign vigorously around "Meeting housing need: building Britain out of recession". In response, the resolution was supported by the Council.

Meat Combine – The resolution was submitted by the Rural & Agriculture NISC and called on the Union to constitute a special sub-sector committee of the Rural & Agriculture NISC. In response, the resolution was opposed by the Council but was supported by Ivan Monckton.

IUF Congress – The resolution was submitted by the Food, Drink & Tobacco NISC and called on the Union to support the appeal from the IUF for funds to support delegates from developing countries. In response, the resolution was supported by the Council.

“Don’t Break Britain” Campaign – The resolution was submitted by the Local Authority NISC and called on the Union to empower regions to free up resources. In response, the resolution was supported by the Council.

Rules Conference Delegation – The resolution was submitted by the National LGBT Committee and called on the Union to ensure Rules Conference is accessible to all the equality committees. In response, the resolution was noted by the Council.

Union Office/Building Cleaners – The resolution was submitted by the North West Regional Committee and called on the Union to not introduce private cleaning contractors. In response, the resolution was noted by the Council.

Industrial Action Ballots – The resolution was submitted by the North West Regional Committee and called on the Union to reverse the instruction given to all Officers. In response, the resolution was noted by the Council.

Legal Aid – The resolution was submitted by the North West Regional Committee and called on the Union to research into and inform members of the plethora of possible vehicles of the Government’s “Big Society”. In response, the resolution was supported by the Council.

NISC Meetings – The resolution was submitted by the North West Regional Committee and called on the Union to reinstate overnight stays for NISCs. In response, the resolution was noted by the Council. The General Secretary, in discussion with National Officers responsible for national committees, will undertake an analysis of cost implications and what is happening with the committees, which will be brought back to the next EC meeting.

DriverCare – The resolution was submitted by the North West Regional Committee and called on the Union to review the administration systems of the scheme. In response, the resolution was supported by the Council.

CSEU 35-hour Week Fund – The resolution was submitted by the North West Regional Committee and called on the Union to initiate actions to conclude this deplorable situation. In response, the resolution was supported by the Council.

Day of Action – The resolution was submitted by the West Midlands Regional Committee and called on the Union to call on the TUC to prepare a campaign to ensure the proposed day of action on 26th March is a resounding success. In response, the resolution had been overtaken by events.

“We Won’t Pay for their Crisis” – The resolution was submitted by the North West Regional Committee and called on the Union to work with other unions and campaigning organisations to stop the cuts and also to build towards a General Strike within the law. In response, the resolution was withdrawn.

Rules Conference 2011 – The resolution was submitted by the North East, Yorkshire & Humberside Regional Committee and called on the Union to reconsider its position in regard to 2011 and the exclusion of all the Equalities Sectors and correct the omission for all future Rules Conferences. In response, the resolution was noted by the Council as it is covered by a Rule amendment to be considered by the Executive Council at the next meeting.

Expenses – The resolution was submitted by the North West Regional Committee and called on the Union to make expenses available to members attending Area Activist Meetings. The discussion linked to the document presented to the Council in relation to proposed change to lay member expense policy. At the close of consideration, the resolution was opposed by

the majority of the Council, apart from Pat Coyne, John Sheridan, Sue Jopson, Neil Sheehan and Dave Ritchie. It was agreed that the document would be amended to show that all constitutional committees should be treated the same and travel and subsistence would be paid from 1st May 2011.

At the close of consideration, the Council

RESOLVED: "To accept the reports in line with the preamble to this Minute."

9. ANY OTHER BUSINESS

**Minute
No.1118**

9.1 Deputy Regional Secretary

A member of the Council referred to the position of Deputy Regional Secretary. In response, the General Secretary advised that he intended to bring a report to the next meeting of the Executive Council in this regard.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.1119**

9.2 Statement on Libya

A member of the Council referred to the earlier request for a statement on the situation in Libya. In response, the General Secretary advised that following consultation, a statement would be sent out to Council members along the lines suggested.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.1120**

Documentation

The Executive Council noted that all documents specified within the Minutes had been circulated to all members of the Council and were filed on the records of the Council.

The Chair thanked the members of the Council for their continued support and wished everyone well for the future.

**The Meeting of the Council
thereupon terminated**